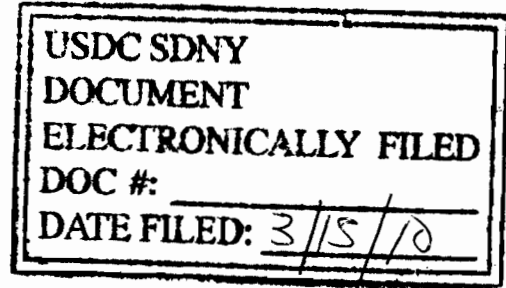


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
THE PENSION COMMITTEE OF THE  
UNIVERSITY OF MONTREAL PENSION  
PLAN, *et al.*,

Plaintiffs,

- against -

BANC OF AMERICA SECURITIES, LLC, *et al.*,

Defendants.  
-----X

1:05-CV-09016 (SAS) (FM)

**ORDER OF DISMISSAL**

WHEREAS, the Court is advised that plaintiffs HSBC Private Bank, a division of HSBC Bank (USA) National Association (formerly known as HSBC Republic (USA) Inc.) and First Trust Corp., as Trustee f/b/o Joseph Cueter, Paul J. Simon and Shirley A. Simon (the "Withdrawing Plaintiffs") wish to voluntarily dismiss their claims against all defendants in this action;

WHEREAS, the Court is advised that none of the defendants has any objection to the dismissal of the Withdrawing Plaintiffs' claims;

NOW, upon due consideration of the Withdrawing Plaintiffs' request, it is

ORDERED, pursuant to Federal Rule Civil Procedure 41(a)(2) that the Withdrawing Plaintiffs' claims in this action are dismissed as against all defendants.

Dated: New York, New York  
March 12, 2010

SHIRA A. SCHEINDLIN, U.S.D.J.